

Comments before the NOSB - Washington, DC, August 17, 2005

Dear Friends and Colleagues,

I am, Michael Sligh, founding chair of this board, co-chair of the National Campaign for Sustainable Agriculture – Organic Committee and policy Director for RAFI-USA.

Please let me start by thanking all of you for your perseverance and continued dedication to the advancement of organic agriculture. We may not always agree on everything, but the fact that we are all still here...speaks volumes about our shared commitment.

I send special thanks to the upcoming NOSB retirees, I know well of your sacrifice and welcome and many thanks to the new board members for your willingness to answer the call to serve organic agriculture. I look forward to getting to know each of you better.

I wish to use my time to strongly support several key points.

First, I strongly support the inclusion of biodiversity language into the guidance template for certifiers. This is an essential element of organic agriculture and should be much more strongly visible in our verification documents.

On a related point, concerning how strongly to require organic seeds, I again remind the board that since this program has a global reach and especially because of this, it can have unintended impacts on program participants in the global centers of biodiversity. We must be very aware that forcing this requirement too quickly or so strictly will have extremely negative impacts on local seed biodiversity and farmer choices. Locally adapted varieties, which have been proven winners over the centuries, must always be supported over imported seeds, organic or not, which can have a narrower genetic base, be an inappropriate variety and/or be of unproven local adaptability. I caution you about this and offer support in the development of appropriate steps to support the growth of organic seeds without undermining already vulnerable locally adapted seed biodiversity.

Secondly, I am very disappointed that the very solid work by family-sized organic dairy farmers to clarify the pasture guidance requirements has been delayed. The lack of greater specificity is critically needed to guide certifiers to make consistent decisions and to avoid loss of consumer confidence, not to mention ensuring the welfare and natural behavioral needs of the animals.

However, we cannot have it both ways. To be fair to NOP, we have asked for and the Inspector General of USDA has required the NOP to demonstrate cooperation with the NOSB and to provide responses to the many previously unanswered NOSB recommendations. They have actually responded to this issue.

To expedite this critical issue, we need to request that the NOP/USDA response be much more specific and to be put in writing, if further delayed. My suggestion is for you and NOP to “roll-up your sleeves and fix this matter” at this meeting. Failing this, I strongly

urge an additional meeting before the end of this year and for the meeting to be held out in dairy country to facilitate greater farmer access to this timely matter. Please do not leave this matter hanging ...it has very large implications. Some additional specifics are better than the current void.

Finally I rise to make critical comments regarding the sunset provisions. It is very important that the NOSB exercise your full statutory responsibilities. You were very consciously awarded these responsibilities as our duly appointed citizen board. Your actions should be consistent with and provide solid continuity from past NOSB decisions. It also must be rigorous and fully transparent.

When the founding board voted on the original list of materials prior to the Organic Rule, we based our voted on several very important caveats.

1. The sunset process meant that **all materials were required to be re-reviewed within the (5) year requirements.** Many of the votes were very close, controversial and lack clear consensus. Many of the materials would not be on the list at all, if this caveat had not been clearly understood.
2. In fact, we also understood that if the material was not re-reviewed within this timeframe that it automatically went off the list. This is very important.
3. Synthetics in processed foods labeled, as “organic” were clearly understood by many on the NOSB to be **not allowed** by OFPA. We remanded USDA that this must be resolved in the rule-making process or that those materials voted as allowed synthetics for processed foods would be in violation of OFPA. Our votes were made based on that understanding.
4. Many materials votes required additional caveats, such as - accelerated reviews, annotations and narrow use requirements to win board support - at all, especially regarding the use of synthetics in processed foods.

It is incumbent upon this board to ensure that the sunset process adhere to the legislative intent, the law, honors the original caveats and does not set expedient precedents that will allow for unwarranted discretion and special interest to hold sway over organic integrity.

Please feel free to contact me if I can be of any additional help, clarification, or support. Thank you for this opportunity and for your continued dedication to the cause.

At the best,

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